

FILED

July 10, 2024

SEALED

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: RR Deputy

Case No: SA:24-CR-00331-XR

UNITED STATES OF AMERICA

Plaintiff

v

**(1) IVAN RIVAS RENTERIA
(2) ALMA ROSALIA VELEZ ANDRADE**

Defendants.

INDICTMENT

COUNT 1: 18 U.S.C. § 933
Conspiracy to Traffic Firearms

COUNT 2: 18 U.S.C. § 932
Conspiracy to Straw Purchase Firearms

COUNT 3: 18 U.S.C. § 371, 554(a)
Conspiracy to Smuggle Goods from the
United States

COUNT 4: 18 U.S.C. § 922(a)(6)
Falsifying Information When Buying
Firearms

THE GRAND JURY CHARGES:

**COUNT ONE
Conspiracy to Traffic Firearms
[18 U.S.C. § 933(a)]**

On or about May 22, 2024, in the Western District of Texas, Defendants,

**(1) IVAN RIVAS RENTERIA and
(2) ALMA ROSALIA VELEZ ANDRADE,**

and others, did knowingly conspire to ship, transport, transfer, cause to be transported, and otherwise dispose of a firearm, to wit: a FNH M249S, 5.56 caliber rifle, bearing serial number

M249SA10117, to another person, in or otherwise affecting interstate and foreign commerce, knowing or having reasonable cause to believe that the use, carrying, or possession of the firearm by the recipient would constitute a felony, to wit, Conspiracy to Straw Purchase Firearms and Conspiracy to Smuggle Goods from the United States, in violation of Title 18, United States Code, Section 933(a)(1).

COUNT TWO
Conspiracy to Straw Purchase Firearms
[18 U.S.C. § 932]

On or about May 22, 2024, in the Western District of Texas, Defendants,

(1) IVAN RIVAS RENTERIA and
(2) ALMA ROSALIA VELEZ ANDRADE,

and others, did knowingly conspire to purchase at least one firearm, to wit: a FNH M249S, 5.56 caliber rifle, bearing serial number M249SA10117, in and affecting interstate and foreign commerce, for, on behalf of, and at the request and demand of any other person, knowing and having reasonable cause to believe that such other person intended to use, carry, possess, sell and otherwise dispose of the firearm in furtherance of a felony, to wit, Conspiracy to Smuggle Goods from the United States and Conspiracy to Traffic Firearms, all in violation of Title 18, United States Code, Section 932.

COUNT THREE
Conspiracy to Smuggle Goods from the United States
[18 U.S.C. § 371, 554(a)]

On or about May 22, 2024, in the Western District of Texas, Defendants,

(1) IVAN RIVAS RENTERIA and
(2) ALMA ROSALIA VELEZ ANDRADE,

and others, knowingly and willfully conspired and agreed together to commit offenses against the United States, that is, they knowingly exported and sent at least one firearm, to wit: FNH M249S,

5.56 caliber rifle, bearing serial number M249SA10117, from the United States, and received, concealed, bought, and facilitated the transportation of these firearms prior to exportation, knowing they were intended for exportation contrary to any law or regulation of the United States, to wit, Title 15, Code of Federal Regulations, Parts 736.2(b)(1), 774, & 738, Supplement 1, in that Defendants knew they did not have a license or written authorization for such exports, in violation of Title 18, United States Code, Section 554(a).

MANNER AND MEANS

The conspiracy was carried out through the following manner and means, among others:

1. Individuals in Mexico coordinated with (2) VELEZ ANDRADE and (1) RIVAS RENTERIA to purchase a M249 rifle that would then be transported to Mexico.
2. Individuals in Mexico sent money via Western Union to (2) VELEZ ANDRADE and (1) RIVAS RENTERIA for the purchase of the rifle.
3. (2) VELEZ ANDRADE and (1) RIVAS RENTERIA then purchased the firearm with the intent that it would then be transported to the individuals in Mexico.

OVERT ACTS

In furtherance of the conspiracy and to effect and accomplish its objects, Defendant committed, among others, the overt acts listed below, in the Western District of Texas:

1. On or about May 14, 2024, (2) VELEZ ANDRADE received two wire transfers through Western Union from Michoacan, Mexico. (1) RIVAS RENTERIA also received two wire transfers through Western Union from Michoacan, Mexico that same day.
2. Approximately a week later, (2) VELEZ ANDRADE received two additional wire transfers through Western Union from Michoacan, Mexico. These wire transfers were for the purpose of purchasing a M249 rifle. The total amount that (2) VELEZ ANDRADE and (1) RIVAS

RENTERIA received from Michoacan covered the cost of the firearm.

3. (1) RIVAS RENTERIA pulled the cash from the wire transfers at various Walmart locations in San Antonio, Texas.
4. The day after the final wire transfers, (1) RIVAS RENTERIA went to the FFL in San Antonio and attempted to purchase the M249 rifle, but his bank card was declined.
5. The following day, (1) RIVAS RENTERIA returned to the FFL and purchased the M249 rifle in cash.

All in violation of Title 18, United States Code, Section 371.

COUNT FOUR
Falsifying Information When Buying Firearms
[18 U.S.C. § 922(a)(6)]

On or about May 22, 2024, in the Western District of Texas, Defendant,

(1) IVAN RIVAS RENTERIA

in connection with the acquisition of a firearm, to wit, a FNH M249S, 5.56 caliber rifle, bearing serial number M249SA10117, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to the licensed dealer, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such acquisition of the said firearm to the defendant under chapter 44 of Title 18, in that IVAN RIVAS RENTERIA executed a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, stating he was the actual buyer of the firearm indicated on the Form 4473, when in fact as he then knew, he was not the actual buyer of the firearm, in violation of Title 18, United States Code, Section 922(a)(6).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Firearms Violations and Forfeiture Statutes

[Title 18 U.S.C. § 922(g)(1), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]

As a result of the criminal violation set forth in Counts One, Two, and Three, the United States of America gives notice to Defendant of its intent to seek the forfeiture of the property described below upon conviction pursuant to FED. R. CRIM. P. 32.2 and Title 18 U.S.C. § 924, as made applicable to criminal forfeiture by 28 U.S.C. § 2461. Section 924 states in pertinent part:

Title 18 U.S.C. § 924. Penalties

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of subsection . . . (g) . . . of section 922, . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . . .

This Notice of Demand for Forfeiture includes, but is not limited to, the following properties:

1. FNH M249S, 5.56 caliber rifle, bearing serial number M249SA10117;
2. Any and all firearms, ammunition, and/or firearm accessories involved in or used in the commission of the criminal offense.

A TRUE BILL

FOREPERSON OF THE GRAND JURY

JAIME ESPARZA
UNITED STATES ATTORNEY

BY:



FOR ALICIA MCNAB
Assistant United States Attorney